

## **DEPARTMENT OF THE NAVY**

BOARD FOR CORRECTION OF NAVAL RECORDS 701 S. COURTHOUSE ROAD, SUITE 1001 ARLINGTON, VA 22204-2490

> Docket No. 8637-23 Ref: Signature Date

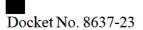
Dear

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 8 May 2024. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies. The Board also considered an advisory opinion (AO) furnished by Navy Personnel Command (NPC) (PERS 312/SA), dated 14 November 2023. Although you were afforded an opportunity to submit an AO rebuttal, you chose not to do so.

You enlisted in the Navy and began a period of active duty on 4 March 2008. On 20 January 2012, you were administratively discharged from the Navy with a General (Under Honorable Conditions) characterization of service for pattern of misconduct. On 17 November 2023, you were issued a DD Form 215 that documented your entitlement to the Campaign Medal, Sea Service Deployment Ribbon, and NATO ISF Medal.

In your current application, you request to be awarded the Campaign Medal with one Bronze Star and Presidential Unit Citation (PUC). The Board considered your contentions that your command threw you under the bus and you were not given the opportunity to sign your DD Form 214.



As part of the Board's review, the Board considered the AO provided by NPC PERS 312/SA. The AO stated in pertinent part:

The review revealed Navy regulations that govern the issuance of the DD 214 does not allow deployment information to be recorded on the document. The only exception is when reserve personnel are ordered to active duty in time of National Emergency declared by either the President or Congress. SNM's Evaluation Report & Counseling Record (NAVPERS 1616/26) dated 07/15/2010 lists SNM was awarded the Afghanistan Campaign Medal, Sea Service Deployment Ribbon and NATO ISAF Medal while onboard NMCB 74. These are considered an administrative oversight and a Correction to DD 214 (DD 215) will be issued by this office. No evidence was found to support being awarded a second Afghanistan Campaign Medal or PUC.

After a detailed review of your record, the Board determined that your official military personnel file (OMPF) does not provide the necessary evidence to substantiate your request for a second Campaign Medal or PUC. In making this finding, the Board substantially concurred with the review conducted by NPC PERS 312/SA that documented the lack of supporting evidence in your record to grant your request. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

